(*b*). Protection of Forests from Injury.

(1). General Protection and Breaches of Forest Law.

(a). General Protection.

62. The forest protective staff, during the year, received no addition to its strength, although the want of a larger establishment is greatly felt. A scheme for the reorganization of the subordinate staff is before Government, and orders thereon are awaited.

63. It is necessary to record that although the number of forest guards is now the same as it was when last strengthened seven years ago, the work expected of them has increased enormously owing to the more extended working of the forests in all the divisions of this Circle.

64. It is now practically impossible for a beat guard to exercise proper supervision on the operations of the contractors and permit-holders as well as to protect the rest of his charge; and though the protection of the forest has not deteriorated, there is not that improvement visible of late years which one has a right to expect with the march of civilization and settlement of the forests.

65. Although systematic *loot* of the forests on anything approaching an extensive scale is of rare occurrence, petty thefts continue to be committed. The latter are, however, confined to material required for personal use, for barter, or for the use of some other party, and who is generally himself able to evade the hand of the law.

66. The dead-wood privileges are also fruitful sources of injury to the forests, as the temptation to manufacture dead-wood by hacking down trees in advance or by firing the forests is very great. With regard to this the Collector of Thána writes :—

"The special-system of dead-wood collection near Thána is a cause of mischief, and I would be glad to see it abolished. The similar (though not identical) system in Bhiwndi (in the Eastern Division) is even more injurious, and there is really no reason for maintaining either."

67. A few bad cases of thefts of standards in the coupes under exploitation were discovered, but as it was found impossible to prove the actual complicity of the contractors concerned, they were severely dealt with under the penal clauses of the coupe agreements.

68. The work of the protective staff is far from being satisfactory, but large allowance has to be made on account of the size of their charges and the multifarious duties the men are now called upon to perform. In the interests of efficient protection of the forests there is no doubt that the number of forest guards will have to be at least doubled in such divisions of this Circle in the near future. The following remarks of the Collector of Thána in this connection are worth quoting :—

"It is very evident that, at the time that the present system of felling by strict and regular rotation was introduced, no officer concerned was in a position to know how large an establishment is required to work such a system properly, or how often the attempt has had to be given up by private owners of wood land in other countries."

(b). Breaches of Forest Law.

69. In judging of the extent of the breaches of forest law which are now to be recorded, it must be remembered that this report deals with a period of 15 months instead of 12 only. There has been a notable decrease in the number of cases sent to trial during the year, the figures being 291 in place of 364. Too much importance must not, however, be attached to this decrease; for, though there is no evidence that supervision of the forests has been less effective than usual, or that more leniency has been displayed than formerly by Divisional Forest Officers in the treatment of offences discovered, yet it is improbable that such a considerable advance in law-abiding behaviour should have been made by the people at large in the year. Unfortunately the larger number of undetected offences—782 as against 587—conclusively proves the truth of the above remarks.

70. Similarly it will be found that the number of cases compounded by Divisional Forest Officers under Section 67 of the Indian Forest Act has decreased. In 1891-92 the number for 12 months was 502, whilst in 1892-93 the number for 15 months comes to 419 only.

71. A comparative statement of the number of cases tried before Magistrates for breaches of the forest law during the year under report and the year preceding, with the results of the trials, is given below :—

No.	Division.	1891-92.		1892-93.		Percentage of failures.	
		Prosecutions.	Acquittals.	Prosecutions.	Acquittals.	1891-92.	1892-93.
1	East Thána ...	113	30	110	43	·26·5	39·
2	West Thána ...	158	18	108	17	11·3	15·7
3	Surat ...	3	1	3	...	33·3	...
4	Panch Mahals .	62	5	13	2	8·0	15·4
	Total ...	336	54	234	62	16·03	26·5

72. In addition to the 263 new cases taken into Court there were 28 cases brought over from the preceding year. Of the total number, 234 were disposed of by the 30th June 1893, with the result that there were 172 convictions and 62 acquittals. The percentage of failures in the different divisions save Surat is higher than in the year before; but, though there is a rise of 10·47 in the percentage of acquittals for the Circle, still the average—26·5—cannot be regarded as a bad one when the difficulties of forest protection are taken into account, 57 cases were awaiting disposal at the close of the year.

73. No explanation, as regards East Thána, for the very high percentage of acquittals is traceable from the Divisional Report, but the Collector in his remarks accompanying that report accounts for it as follows :—

"I review nearly all forest convictions myself, and I think the falling off in percentage of convictions to be rather due to greater care on the part of the Magistrates (formerly very lax in the matter of evidence in forest cases) and to the personal equation of one or two Magistrates than to any difference in the departmental methods of prosecutions."

74. In the statement following, comparison is made between the numbers of cases in which prosecutions were instituted for the two years 1891-92 and 1892-93 classified under the four different heads of crime as prescribed by the Forest Department Code :—

No.	Division.	Injury to forest by fire.		Unauthorised felling or appropriation of wood and minor forest produce.		Grazing without permission or in tracts in which grazing is prohibited.		Other offences.		Total.	
		1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.
1	East Thána ...	6	7	98	125	3	2	16	2	123	136
2	West Thána...	2	2	74	97	4	5	78	8	158	112
3	Surat	...	...	3	2	...	...	...	1	3	3
4	Panch Mahals.	...	...	62	11	...	1	2	...	64	12
	Total ...	8	9	237	235	7	8	96	11	348	263

75. The following table exhibits the nature and character of the offences tried by Magistrates during the year of this report :—

No.	Division.	Offences relating to the misappropriation of				Total.
		(a) Timber.	(b) Firewood.	(c) Minor Forest Produce.	(d) Other Offences.	
1	East Thána	84	32	7	13	136
2	West Thána	51	31	12	18	112
3	Surat	1	...	1	1	3
4	Panch Mahals	10	1	1	...	12
...	Total ...	146	64	21	32	263

76. The classification of undetected cases is given below :—

No.	Division.	Injury to Forest by fire.		Unauthorised felling or appropriation of wood and minor forest produce.		Grazing without permission or in tracts in which grazing is prohibited.		Other Offences.		Total.	
		1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.
1	East Thána	...	152	295	270	..	...	...	...	295	422
2	West Thána	...	177	224	128	...	...	...	29	224	334
3	Surat...	...	...	...	...	...	...	...	...	...	...
4	Panch Mahals	...	...	68	26	...	...	...	...	68	26
	Total ...	...	329	587	424	...	...	...	29	587	782

77. The following statement will show the number of cases decided in accordance with Government Resolution No. 7844, dated 3rd October 1884, in the Revenue Department, by Revenue officers under Section 43 of the Land Revenue Code, in the Thána District, as compared with that of the previous year :—

No.	Division.	1891-92.					1892-93.				
		Number of cases.	Value of Forest Produce.	Acquittals.	Convictions.	Amount of fines.	Number of cases.	Value of Forest Produce.	Acquittals.	Convictions.	Amount of fines.
			Rs. a. p.			Rs. a. p.		Rs. a. p.			Rs. a. p.
1	East Thána ...	1	1 8 0	...	1	1 8 0	12	49 7 0	...	12	50 1 0
2	West Thána ...	5	8 5 3	...	5	6 7 9	4	159 15 6	...	4	159 15 6
	Total ...	6	9 13 3	...	6	7 15 9	16	209 6 6	...	16	210 0 6

78. A comparative statement, showing the number of cases compromised under Section 67 of the Indian Forest Act and taken into Court, is given below :—

No.	Division.	Taken into Court.		Compounded under Section 67 of the Forest Act.		Total number of cases.	
		1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.
1	East Thána...	130	153	254	173	367	326
2	West Thána	167	121	96	122	254	243
3	Surat	3	3	17	17	20	20
4	Panch Mahals	64	14	135	107	197	121
	Total ...	364	291	502	419	866	710

79. The classification of the cases compounded during the year is given below as desired in Government Resolution No. 7232, dated 12th September 1892 :

No.	Division.	Offences relating to the misappropriation of				Total.
		(a) Timber.	(b) Firewood.	(c) Minor Forest Produce.	(d) Other Offences.	
1	East Thána	90	40	17	26	173
2	West Thána	31	27	27	37	122
3	Surat	8	3	3	3	17
4	Panch Mahals	70	23	12	2	107
	Total ...	199	93	59	68	419

80. In the Northern Circle as at present constituted, it appears it has been the custom to release offenders with a warning or without exaction of damages or other punishment when the offence committed was unintentional or otherwise to some extent venial. The triviality of a forest offence cannot be gauged by money valuation, as however trivial in its character it stands to reason that if often repeated, or if committed independently, it becomes grave, and, therefore, it is often necessary to take cognizance of offences which at first sight appear of no significance.

81. Since the promulgation of the orders contained in Government Resolution No. 8626, dated 3rd November 1892, the Collectors have had an opportunity of reviewing the monthly abstracts of cases compounded under Section 67 of the Indian Forest Act submitted to them, and they have not had any occasion to find fault with the Divisional Forest Officers' procedure.

82. The number of offences which were treated as trivial, and the offenders in which were merely warned after their offence had been reported on and considered, was 72. Unfortunately it is impossible to compare this number with that of the previous year's, as figures for the latter are not available.

83. The statement below gives the required details in respect of money paid during the year 1892-93 as compensation for forest offences claimed under Section 67 of the Indian Forest Act :—

No.	Division.	Number of cases compounded and in which compensation has been accepted.	Amount of compensation.	Remarks.
			Rs. a. p.	
1	East Thána ...	173	324 7 7	
2	West Thána ...	122	478 12 9	Rs. 12-8 were not recovered at the end of the year.
3	Surat	17	69 1 4	Rs. 5-14-8 do. do.
4	Panch Mahals ...	107	152 13 5	
	Total ...	419	1,025 3 1	

84. The 419 cases of compounded offences classified according to the payment agreed upon were as follows :—

No.	Division.	Number of cases in which compensation was fixed at Rupees																										Total.
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30 to 49	50	
1	East Thana	119	22	10	7	2	3	2	2	...	2	...	...	1	1	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	173
2	West Thána	54	31	10	7	5	...	1	...	1	1	2	2	...	1	1	...	...	1	...	...	...	1	...	...	...	...	...	...	1	...	3	122
3	Surat	9	1	1	...	2	...	1	1	...	...	...	...	...	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	17
4	Panch Mahals	75	15	4	2	...	...	6	...	...	...	...	...	...	2	...	...	...	...	...	1	1	...	1	...	...	...	...	...	...	...	...	107
	Total ...	257	69	25	16	9	3	10	3	1	3	2	2	1	4	2	1	...	2	...	2	1	1	1	...	...	...	...	...	1	...	3	419

85. The information given in the following statement is in accordance with paragraph 11 of Government Resolution No. 1899 of the 15th March 1891 :—

No.	Division.	Number of complaints disposed of under Section 67.	Number of cases in which compensation has been accepted.	Number of appeals against the proceedings.	Manner in which appeals have been disposed of.	Remarks.
1	East Thána ...	187	173	...	...	In 14 cases offenders were let off with a warning.
2	West Thána ..	150	122	...	...	„ 28 do. do.
3	Surat	25	17	...	...	„ 8 do. do.
4	Panch Mahála ...	129	107	...	...	„ 22 do. do.
	Total ...	491	419	...	...	72

(*b*) (2) *Protection from Fire.*

86. The results of the year's fire protection as compared with those of the year 1891-92 are shown below :—

No.	Division.	Forest area placed under protection against fire.		Acreage burned.		Percentage burned.		Remarks.
		1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.	
		Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	
1	East Thána ...	377,780	451,956	10,420	18,515	2·7	4·09	For the purpose of this statement, Váda Táluka is included in East Thána.
2	West Thána ...	436,398	358,719	8,613	5,462	1·9	1·5	
3	Surat	477,913	478,141	432,583	434,990	90·5	90·9	
4	Panch Mahála ...	200,109	213,575	10,133	3,944	5·06	1·8	
	Total ...	1,492,200	1,502,391	460,630	462,911	30·8	30·7	

87. The past season was an exceptionally favourable one for the prevention of forest fires. Late rains kept the grass green till well into the cold weather and few fires were reported before the first week in January, the hot weather was also milder than usual, rain fell in May—which all tended to shorten the period of the fair season.

88. On the recommendation of the Commissioner, N. D., Government sanctioned in their Resolution No. 757, dated 27th January 1893, the adoption, in all the other divisions of this Circle, of the practice introduced in the Thána District two years ago of reporting at once each forest fire to the Collector on a post card by the nearest literate forest subordinate. The action taken by the Revenue head of the district on receipt of those reports has produced a very good effect on the officers under him, *viz.*, that they now understand that they are expected to give every assistance in extinguishing fires and help the forest protective staff in tracing their causes,—matters which were only dimly recognised before. This system has now taken a firm root in Thána and may be said to have passed the experimental stage. In villages where before forest guards had difficulty in inducing people to turn out to aid in suppressing fires, the latter turn out of their own accord in the absence even of a forest subordinate directly they find that a fire has burst out in their forest.

89. In the Panch Mahála and Surat divisions, in which the system described above has only been recently introduced, the good results noticed in Thána were not apparent, but when it has had time to develope itself, there is no